

Bill Draft Number LC2065 - House Bill 360

Good morning Mr. Chairman, members of the committee. Thank you for the opportunity to speak to you as a proponent of HB360. My name is Joan Sherman; my husband, Russell Sherman and I are life-long residents of Ronan, MT. Some of you may have heard me when I have spoken in front of this committee as well as the House Judiciary committee as a proponent of tougher legislation dealing with hit and run incidences.

Our daughter, Jami Sherman, was killed July 1, 2006 by a hit and run driver. Her body was drug underneath the car for 120 feet before the car stalled and came to a stop. The driver had to back up to get free of Jami's body. She was left dead on the road while the driver and two passengers fled the scene. When we were notified of Jami's death, the officer told us that her body was taken to the state crime lab because her death was being treated as a homicide. The driver and passengers were apprehended 30 days later as a result of a tip to crime-stoppers.

Lake County sheriff, Lucky Larson, estimated that his department had devoted 2700 hours to try to solve this hit and run case. This does not include the reserve officers' time or off-duty hours as well as many friends' and neighbors' time and devotion. This was a tremendous drain on manpower and resources.

At the Justice Court hearing, we learned the driver could only be charged with a misdemeanor under current state law. Because of this, we contacted Senator John Brueggeman to sponsor a bill changing the law to a felony. That bill was signed into law in April of 2007 by Governor Schweitzer.

The two passengers chose not to talk because they were both on probation. The consequences would have been probation violations and being sent to prison. With the passage of this bill, it would cause them to do the right thing.

When a driver flees the scene of an accident where someone is killed or severely injured, it is a felony. There is no law that says passengers who witness this type of felonious act are required to report the incident if the driver fails to do so.

We will never know why they left Jami dead on the road.

We asked House District 12 Representative Dan Salomon to introduce legislation to address passenger's accountability to come forth with information for hit and runs when a death or serious bodily injury has occurred. We are asking for your support in passing this bill.

Thank you,

Russell and Joan Sherman